



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 16-1262

Released: November 7, 2016

WIRELINE COMPETITION BUREAU UPDATES APPLICABLE RATES FOR INMATE CALLING SERVICES

WC Docket No. 12-375

With this Public Notice, we notify providers and consumers of Inmate Calling Services (ICS) of the applicable rates for ICS.¹

On August 4, 2016, the Commission released the *ICS Reconsideration Order*, in which the Commission increased the ICS rate caps to expressly account for reasonable facility costs.² Several parties filed motions asking the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit) to stay the revised rate caps adopted in the *ICS Reconsideration Order* pending judicial review.³ On November 2, 2016, the D.C. Circuit granted those motions.⁴ Accordingly, “pending further order of the court,” the *ICS Reconsideration Order* is stayed “insofar as [it] imposes rate caps on inmate calling services.”⁵

The interim rate caps set forth in the Commission’s rules – \$0.21 per minute for debit and prepaid ICS calls and \$0.25 per minute for collect ICS calls – remain in effect for all interstate ICS calls.⁶ The interim rate caps do not apply to intrastate ICS calls.⁷

¹ This Public Notice supersedes the information in the previous Public Notice regarding the applicable rates of the Commission’s ICS rules and requirements. *Wireline Competition Bureau Updates Applicable Rates for Inmate Calling Services*, Public Notice, 31 FCC Rcd 2247 (WCB 2016) (Mar. 29, 2016 Public Notice).

² *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Order on Reconsideration, 31 FCC Rcd 9300 (2016) (*ICS Reconsideration Order*). The Commission issued the *ICS Reconsideration Order* in response to a Petition for Reconsideration filed by Michael S. Hamden. See Petition of Michael S. Hamden for Partial Reconsideration, WC Docket No. 12-375 (filed Jan. 19, 2016), <http://apps.fcc.gov/ecfs/document/view?id=60001408060> (Hamden Petition). In addition to increasing the rate caps, the Commission also granted the Hamden Petition to the extent that Hamden sought clarification of the definitions of the terms “Mandatory Taxes” and “Mandatory Fees.” The Commission denied the Hamden Petition in all other respects.

³ See Opposition of Respondents to Motions for Stay at 2, *Securus Technologies Inc. v. FCC*, No. 16-1321 (D.C. Cir. Oct. 13, 2016) (summarizing the motions ICS providers filed with the D.C. Circuit).

⁴ See *Securus Technologies Inc. v. FCC*, No. 16-1321 (D.C. Cir. Nov. 2, 2016) (*November 2 Order*).

⁵ See *id.*

⁶ See 47 CFR § 64.6030 (stating that “[n]o Provider shall charge a rate for Collect Calling in excess of \$0.25 per minute, or a rate for Debit Calling, Prepaid Calling, or Prepaid Collect Calling in excess of \$0.21 per minute”).

For further information, please contact Christine Sanquist, Wireline Competition Bureau, Pricing Policy Division, at 202-418-7084 or via email at christine.sanquist@fcc.gov.

- FCC -

⁷ See *Global Tel*Link v. FCC*, No. 15-1461 (D.C. Cir. Mar. 23, 2016).